

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
SHAW FAMILY ARCHIVES, LTD., EDITH MARCUS, :
and META STEVENS, :

ECF CASE

Plaintiffs, :

Index No. 05 CV 3939 (CM)

-against- :

CMG WORLDWIDE, INC., an Indiana Corporation :
and MARILYN MONROE, LLC, a Delaware :
Limited Liability Company, :

Defendants. :

-----X
NOTICE OF MOTION

To: Paula Colbath, Esq.
Loeb & Loeb LLP
345 Park Avenue
New York, New York 10154
(212) 407-4905

Theodore J. Minch, Esq.
Sovich Minch, LLP
10099 Chesapeake Drive, Suite 100
McCordsville, Indiana 46055
(317) 335-3601


PLEASE TAKE NOTICE, that, upon the Memorandum of Law in Support of Plaintiffs' Motion for Summary Judgment that the Defendants are estopped from asserting that Marilyn Monroe died anything but a New York domiciliary and Summary Judgment on Count 9 of the Shaw Family's Second Amended Complaint, Declaration of David Marcus, dated February 14, 2008, Declaration of Christopher Serbagi, dated February 14, 2008, Rule 56.1 Statement of Undisputed Facts, Plaintiffs, by their undersigned attorneys, will move this Court, in the

Courtroom of the Honorable Colleen McMahon, United States District Judge, United States Courthouse, 500 Pearl Street, New York, New York, 10007, at a time and date to be determined by the Court, for an order of summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure, that the Defendants are estopped from asserting that Marilyn Monroe died anything but a New York domiciliary and summary judgment on Count 9 of the Shaw Family's Second Amended Complaint, and for other relief that the court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that answering papers, if any, are to be served on counsel for Plaintiffs two weeks after receipt of moving papers, and reply papers, if any, are to be served five (5) business days after service of answering papers.

Dated: New York, New York
February 14, 2008

Respectfully Submitted,

By: 
Christopher Serbagi
David Marcus
Law Offices of Christopher Serbagi
488 Madison Avenue, Suite 1120
New York, New York 11201
Tele: (212) 593-2112
Fax: (212) 308-8582

Attorneys for the Plaintiffs